

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARK AST and RGEN, INC.,

Plaintiffs,

-against-

MICHAEL COHEN, a/k/a MICHAEL MOSHE
COHEN, a/k/a MOSHE MICHAEL COHEN

Defendant.

Index No. 12-CV-9434

AFFIRMATION OF ROGER FIDLER, ESQ.

I, ROGER L. FIDLER, ESQ., hereby declare under the penalty of perjury:

1. I am counsel for Individual Defendant, Michael Cohen ("Michael C"), and Third-Party Plaintiff, Nancyco Holding Company, Inc. ("Nancyco.") In this regard, I am fully familiar with the facts set forth herein. I submit this Declaration pursuant to the Court's January 2, 2014 Memorandum Decision and Order (the "Order").

2. As described in detail in the Affidavit of Michael Cohen, dated January 29, 2014, my client, conducted an exhaustive search of his house for documents responsive to the Order that are within his possession, custody or control.

3. As attested to by Mr. Cohen, no additional documents were located in Mr. Cohen's house.

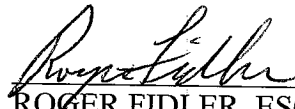
4. Throughout the entire search and production process that began on January 2, 2014, I corresponded with Mr. Cohen regularly by telephone and in person to provide guidance on how to comply with the Court's Order.

5. I also directed Mr. Cohen to keep track of the time he used in his efforts to comply with the Order.

6. Having spoken and met with Mr. Cohen during this process, I know that he undertook sufficient efforts to comply with the Order to the fullest extent and in a timely fashion. He did not find additional documents because he undertook a very thorough search when he produced responsive documents in August, 2013, and which we delivered to plaintiff's counsel as evidenced by the attached cover letter dated August 28, 2013.

I declare under the penalty of perjury that the foregoing is true to the best of my knowledge.

Dated: January 29, 2014



ROGER FIDLER, ESQ.
Attorneys for Defendant
Michael Cohen

ROGER L. FIDLER

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VIA USPS PRIORITY MAIL

August 28, 2013

Cohen Law Group

Attn: Brian S. Cohen, Esq.

10 East 40th Street, 46th Floor

New York, NY 10016

RE: **Ast, et al. v. Cohen**

Dear Mr. Cohen:

I enclose copies of documents in response to Plaintiffs' First Request for Production of Documents. Although my office had made the documents available for inspection long ago, you have not taken the opportunity to review them and, thus, I took the liberty of making copies for you.

The documents correspond to Plaintiffs' requests as follows:

Plaintiffs' Request No. 1 - BATES stamped 0001 - 1413

Plaintiffs' Request No. 2 - BATES stamped 0001 - 0803, 0853 - 1322, 1324 - 1369

Plaintiffs' Request No. 3 - BATES stamped 1323

Plaintiffs' Request No. 4 - BATES stamped 0001 - 1323, 1329 - 1369

Plaintiffs' Request No. 8 - BATES stamped 0001 - 0803, 0853 - 1322, 1324 - 1328, 1348-1369

Plaintiffs' Request No. 9 - BATES stamped 0001 - 0803, 0853 - 1322, 1324 - 1328

Plaintiffs' Request No. 10 - BATES stamped 0001 - 0803, 0853 - 1322, 1324 - 1328, 1348 - 1369

Plaintiffs' Request No. 11 - BATES stamped 1329 - 1347

Plaintiffs' Request No. 12 - BATES stamped 1329 – 1347

Copy costs for 1,413 pages are \$0.15 per page for a subtotal of \$211.95. Shipping costs are \$35.50. Please remit a check for \$247.45 made payable to Roger Fidler.

Please contact our office with any questions or concerns.

Yours truly,

A handwritten signature in black ink, appearing to read "Roger Fidler", written in a cursive style.

Roger Fidler, Esq.